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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10
11 *In re Wells Fargo Mortgage Discrimination*
12 *Litigation.*

Case No. 3:22-cv-00990-JD

Honorable James Donato

13 **DECLARATION OF DENNIS S. ELLIS IN**
14 **SUPPORT OF JOINT STIPULATION**
15 **FOR MOTION FOR CLASS**
16 **CERTIFICATION BRIEFING**
17 **SCHEDULE AND ADMINISTRATIVE**
18 **MOTION FOR AUTHORIZING BRIEFS**
19 **IN EXCESS OF APPLICABLE PAGE**
20 **LIMITS**

21 [Filed concurrently with Joint Stipulation for
22 Motion for Class Certification Briefing
23 Schedule and Administrative Motion for
24 Authorizing Briefs in Excess of Applicable
25 Page Limits; and [Proposed] Order]

DECLARATION OF DENNIS S. ELLIS

I, Dennis S. Ellis, declare and state as follows:

1. I am an attorney at law, duly admitted to practice before this Court and all courts of the State of California. I am a partner with Ellis George LLP, interim lead counsel and counsel of record for Plaintiffs in this matter. This declaration is being made in support of Plaintiffs' Joint Stipulation for Motion for Class Certification Briefing Schedule and Administrative Motion for Authorizing Briefs in Excess of Applicable Page Limits ("Motion"). Except as otherwise stated, I make this declaration based on personal knowledge, and if called to do so, I could testify competently to the information set forth below.

2. During the meet and confer on March 28, 2024, between Plaintiffs and Defendant Wells Fargo Bank, N.A. ("Wells Fargo") that this Court ordered (ECF No. 186), Plaintiffs' counsel proposed extending the time for Wells Fargo to file its Opposition to Plaintiffs' Motion for Class Certification by 14 days while also proposing that Plaintiffs receive an additional 14 days to file their Reply. On April 3, 2024, Amanda Groves, counsel for Wells Fargo, confirmed Wells Fargo's joint stipulation to so extend the time for both Wells Fargo's Opposition and Plaintiffs' Reply by 14 days. The Parties agreed that such an extension would permit both sides to address all of the issues to be raised in Plaintiffs' Motion for Class Certification given the complexity of issues and volume of discovery. To date, Plaintiffs have not requested a modification of any deadlines other than a joint stipulation to modify the scheduling order. (ECF No. 166.) Finally, the proposed stipulated request to enlarge time for the limited purpose of Wells Fargo filing its Opposition and Plaintiffs filing their Reply in support of their Motion for Class Certification will not affect any other deadlines in the matter (ECF No. 166), especially given that the requested enlargement is merely 14 days more than that permitted by Civil Local Rule 7-3(a) and (c) and equally applied to the Parties.

3. Between May 10, 2023, and February 22, 2024, Plaintiffs served nine sets of special interrogatories, totaling 192 individual interrogatories; four sets of requests for admissions, totaling 23 individual requests; and three sets of document requests, totaling 119 individual requests, and Wells Fargo served 22 sets of special interrogatories, totaling 202 individual

1 interrogatories; and 12 sets of document requests, totaling 202 individual demands. In response to
2 Plaintiffs' document requests, Wells Fargo has produced approximately 160,000 documents
3 totaling 246.61 GB of information and approximately 11,053 additional data files of its CORE and
4 HMDA data, among others, totaling approximately 29.6 GB of raw data. Moreover, the parties
5 have deposed 38 witnesses (Plaintiffs taking 22 and Wells Fargo taking 16 of those witnesses),
6 and plan to depose the last four expert and rebuttal expert witnesses next week, while having
7 identified more than 400 exhibits thus far.

8 4. During that same meet and confer on March 28, 2024, Plaintiffs' counsel proposed
9 stipulating to an enlargement of the page limitation mandated under Civil Local Rules 7-2(b), 3(a),
10 (c), to permit Plaintiffs an additional 35 pages for their Motion for Class Certification and an
11 additional ten pages for their Reply, while offering Wells Fargo a page limit of its choosing. On
12 April 3, 2024, Amanda Groves, counsel for Wells Fargo, did not agree to stipulate but confirmed
13 that Wells Fargo would not oppose Plaintiffs' Administrative Motion provided that Wells Fargo is
14 given a corresponding increase in page limits if the Motion is granted.

15 Executed this 5th day of April, 2024, at Los Angeles, California.

16 I declare under penalty of perjury under the laws of the State of California that the
17 foregoing is true and correct.

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19 /s/ Dennis S. Ellis
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